

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JACK DANIELS,

Plaintiff,

No. CIV S 04-0382 LKK CMK P

vs.

EMANUAL LATIMORE,

Defendant.

ORDER

Plaintiff brings this civil rights action pursuant to 42 U.S.C. § 1983. This proceeding was referred to the undersigned by Local Rule 72-302 by the authority of 28 U.S.C. § 636(b)(1). Defendants have filed a motion for summary judgment in this matter, which is currently under advisement. In light of the pending motion for summary judgment, defendants request to be relieved from filing a pretrial statement and that this court vacate the pretrial conference and trial dates. Good cause appearing, the court grants defendants' request.

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1 IT IS ORDERED that:

2 1. Both parties are relieved of their obligation to file a pretrial statement.

3 2. The pretrial conference date and trial date are vacated.

4 3. After ruling on the motion for summary judgment, the court will reset these
5 dates as necessary.

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7 DATED: February 15, 2007.

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10 **CRAIG M. KELLISON**
11 UNITED STATES MAGISTRATE JUDGE
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